

MINUTES  
STATE BOARD OF EDUCATION  
June 24, 2002

The Arizona State Board of Education held a regular meeting at the Arizona Department of Education, 1535 West Jefferson, Phoenix, Arizona. The meeting began at approximately 8:57 a.m.

MEMBERS PRESENT

Frank Alvarez, President  
Dr. Wade McLean, Vice President  
Jaime A. Molera, Executive Officer  
Nadine Mathis Basha  
Dr. Matthew A. Diethelm  
Evangelina Conkie Hoover  
Catherine Kasper

MEMBERS ABSENT

Dr. Peter Likins

**CALL TO ORDER**

**ROLL CALL**

**BUSINESS REPORTS**

President Alvarez reported.

PRESIDENT'S REPORT

Superintendent Molera reported.

SUPERINTENDENT'S REPORT

Board members reported.

BOARD MEMBER REPORTS

Ms. Hill Reported.

LEGISLATIVE REPORT

**PUBLIC COMMENTS**

President Alvarez asked if there was anyone who wished to address the Board at this time and there was no response.

**CONSENT ITEMS**

Mr. Alvarez introduced the item. After discussion, Dr. McLean made the motion that the Board approve the Consent Items with the exception of Item A and Item H. Dr. Diethelm seconded the motion. Motion carried 7-0 (Absent: Likins). Consent items were as follows:

**MOTION**

Consideration to approve  
Intergovernmental Agreements

**INTERGOVERNMENTAL  
AGREEMENTS**

Consideration to request to budget and  
accumulate in the unrestricted capital  
section for Ganado Unified School  
District

**GANADO UNIFIED SCHOOL  
DISTRICT**

Consideration for final approval of  
monies for teacher compensation for  
2002-2003 for Mary C. O'Brien  
Accommodation District

**MARY C. O'BRIEN  
ACCOMMODATION DISTRICT**

Consideration to accept the  
recommendation of the PPAC and  
approve certification for Joseph  
Kinateder

**CERTIFICATION CASE,  
JOSEPH KINATEDER**

Consideration to approve the negotiated  
settlements in the certification cases of  
ADE vs. Andrew Molloy and ADE vs.  
Donna Stokes

**CERTIFICATION CASES,  
ADE VS. ANDREW MOLLOY  
ADE VS. DONNA STOKES**

Consideration to approve the  
renegotiated state levels of performance  
for Adult Education

**STATE LEVELS OF PERFORMANCE  
FOR ADULT EDUCATION**

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Consideration to approve an election addendum for Coconino Association for Vocations, Industry and Technology (CAVIAT) Joint Vocational School District Board

COCONINO ASSOCIATION FOR  
VOCATIONS, INDUSTRY AND  
TECHNOLOGY (CAVIAT)

**GENERAL SESSION**

Ms. Larsen introduced the item and Ms. Gasaway addressed the Board. After discussion, Ms. Basha made a motion that the Board approve the Contract Abstracts as presented. Dr. Diethelm seconded the motion. Motion carried 7-0 (Absent: Likens).

CONTRACT ABSTRACTS

MOTION

Ms. Stevens introduced the item. Mr. Gabaldon, Ms. Mason, and Dr. Basurto addressed the Board. After discussion, Dr. McLean made the motion that the Board delegate to the Department of Education staff to review and revise the English Learner Notification Consent Form with State and Federal Guidelines. Ms. Kasper seconded the motion. Motion carried 7-0 (Absent: Likens).

ENGLISH LEARNER NOTIFICATION  
CONSENT FORM

MOTION

Superintendent Molera introduced the item and Mr. Browning gave a presentation to the Board regarding the Greater Phoenix Leadership and consideration to approve support of educational initiatives. There was no action taken on this item.

GREATER PHOENIX LEADERSHIP

NO ACTION TAKEN

Superintendent Molera introduced the item. Mr. Donovan and Ms. McCarthy addressed the Board. After discussion, Superintendent Molera made the motion that the Board approve the development of the West Maricopa County Joint Technical Education District. Dr. McLean seconded the motion. Motion carried 7-0 (Absent: Likens).

WEST MARICOPA COUNTY JOINT  
TECHNICAL EDUCATION DISTRICT

MOTION

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Ms. Gasaway introduced the item. After discussion, Dr. McLean made the motion that the Board accept funds according to the reauthorization of Elementary and Secondary Education Act: No Child Left Behind and approve the state consolidated application. Dr. Diethelm seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

NO CHILD LEFT BEHIND ACT

MOTION

Ms. Castillo introduced the item. After discussion, Dr. McLean made the motion that the Board approve the Arizona Educational Technology Plan. Ms. Basha seconded the motion. Motion carried 5-0 (Absent: Kasper, Likens, Molera).

ARIZONA EDUCATIONAL  
TECHNOLOGY PLAN  
MOTION

Mr. Romero introduced the item. Mr. Wright and Ms. Pollock addressed the Board. After discussion, Dr. McLean made the motion that the Board approve the amendments to Emergency Rule Changes for R7-2-606 and R7-2-614. Dr. Diethelm seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

EMERGENCY RULE CHANGES,  
R7-2-606 AND R7-2-614

MOTION

Mr. Emanuel introduced the item. After discussion, Dr. McLean made the motion that the Board approve staff recommendation to issue teacher certification renewals based on proof that an application was denied a Fingerprint Clearance Card for an appealable offense, and that the applicant has applied for a good cause exception hearing. Dr. Diethelm seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

FINGERPRINT CLEARANCE CARD  
POLICY ISSUES  
MOTION

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Mr. Yanez introduced the item. After discussion, Dr. McLean made the motion that the Board approve policy for fingerprinting of non-certified teachers of charter schools. Superintendent Molera seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

FINGERPRINT POLICY FOR  
CHARTER SCHOOLS  
MOTION

Mr. Romero introduced the item. Mr. Gaddy, Ms. Morrison, Mr. Condos and Ms. Barclay addressed the Board. After discussion, Dr. McLean made the motion that the Board deny a charter contract to Happy Valley Elementary School while they are still under contract with Peach Springs Unified School District. Superintendent Molera seconded the motion. After further discussion, Dr. McLean made the motion to go into Executive Session. Ms. Basha seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

HAPPY VALLEY ELEMENTARY  
SCHOOL

MOTION

MOTION

**EXECUTIVE SESSION**

Dr. McLean made the motion that the Board return to General Session. Superintendent Molera seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

MOTION

**GENERAL SESSION**

Dr. McLean withdrew his motion to deny granting a charter contract to Happy Valley Elementary School. Superintendent Molera withdrew the second. After further discussion, Superintendent Molera made the motion to deny granting a charter contract to Happy Valley Elementary School based on the admission that the school had copied a Stanford 9 test. Dr. McLean seconded the motion.

MOTION WITHDRAWN

MOTION

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Motion carried 6-0 (Absent: Kasper, Likens).

Ms. Barclay introduced the item. Mr. Hall and Ms. Anderson addressed the Board. After discussion, Dr. McLean made the motion to vacate the hearing for Grand Canyon College Prep Charter School, Dismiss the Intent to Revoke and place the school on probation. Superintendent Molera seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

GRAND CANYON COLLEGE PREP  
CHARTER SCHOOL

MOTION

Ms. Barclay introduced the item. After discussion, Dr. McLean made the motion to approve the amendment to the charter contract for Career Success Charter High School to increase the grades served from 9-12 to K-12. Ms. Basha seconded the motion. Motion carried 5-0 (Absent: Kasper, Likens, Molera).

CAREER SUCCESS CHARTER HIGH  
SCHOOL  
MOTION

Ms. Barclay introduced the item. After discussion, Dr. McLean made the motion to approve the amendment to the charter contract for Legacy Elementary School to increase the grades served from K-6 to K-8. Dr. Diethelm seconded the motion. Motion carried 5-0 (Absent: Kasper, Likens, Molera).

LEGACY ELEMENTARY SCHOOL

MOTION

Ms. Barclay introduced the item. Mr. Mishlove and Mr. Wilson addressed the Board. After discussion, Dr. Diethelm made the motion that C.I. Wilson Academy is in non-compliance with Special Education requirements and must submit a corrective action plan to Exceptional Student Services within 30 days and that Exception Student Services monitor this school every 30 days until the corrective action plan is

NONCOMPLIANCE WITH SPECIAL  
EDUCATION REQUIREMENTS,  
C.I. WILSON ACADEMY  
MOTION

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complete and C.I. Wilson is in compliance. Ms. Basha seconded the motion. Motion carried 5-1 (No: Hoover; Absent: Kasper, Likens).

Dr. Garcia introduced the item and presented the Board with information regarding AIMS-ED, Spring Assessment Wrap-up, and plans for Fall 2002. There was no action taken.

AIMS-ED PRESENTATION

**HEARINGS**

Mr. Alvarez introduced the item, all parties were sworn in for the hearing of non-compliance with the USFR for Salome Consolidated School District. After discussion, Dr. McLean made the motion to continue the hearing until the August Board meeting. Superintendent Molera seconded the motion. Motion carried 7-0 (Absent: Likens).

NONCOMPLIANCE WITH USFR,  
SALOME CONSOLIDATED DISTRICT

MOTION

Mr. Alvarez introduced the item, all parties were sworn in for the hearing of non-compliance with the USFR for Osborn Unified School District. After discussion, Superintendent Molera made the motion to continue the hearing until the August Board meeting. Ms. Basha seconded the motion. Motion carried 7-0 (Absent: Likens).

NONCOMPLIANCE WITH USFR,  
OSBORN UNIFIED DISTRICT

MOTION

Mr. Alvarez introduced the item, all parties were sworn in for the hearing of non-compliance with the USFR for Miami Unified School District. After discussion, Dr. McLean made the motion to continue the hearing until the August Board meeting. Superintendent Molera seconded the motion. Motion carried 7-0 (Absent: Likens).

NONCOMPLIANCE WITH USFR,  
MIAMI UNIFIED DISTRICT

MOTION

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Mr. Alvarez introduced the item and asked if there was anyone present who wished to address the Board regarding the Public Hearing for R7-2-312 and there was no response. After discussion, Dr. McLean made the motion to close the Public Hearing for R7-2-312. Ms. Basha seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

PUBLIC HEARING, R7-2-312

MOTION

Ms. Larsen introduced the item stating that this was the hearing for intent to revoke the charter contract for Sweetwater Health Services, Inc. d.b.a. Northwest Charter Academy. All parties were sworn in and Ms. Barclay, Ms. Anderson, Mr. Foster and Mr. Shah addressed the Board during the hearing. After discussion, Superintendent Molera made the motion to accept the findings of fact of paragraphs 1-18, 20, 21, and 23. Dr. McLean seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

INTENT TO REVOKE CHARTER,  
SWEETWATER HEALTH SERVICES, INC.

MOTION

After further discussion, Superintendent Molera made the motion to accept conclusion of law of paragraphs 19, 22, 24, 25, and 26. Dr. McLean seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

MOTION

Superintendent Molera then made the motion to revoke the charter for Sweetwater Health Services, Inc. d.b.a. Northwest Charter Academy effect June 24, 2002. Dr. McLean seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

MOTION



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**MINUTES**

Mr. Alvarez introduced the item. After discussion, Dr. McLean made the motion to table the minutes of May 10, 2002 and May 20, 2002 until the August meeting. Ms. Basha seconded the motion. Motion carried 6-0 (Absent: Kasper, Likens).

MOTION

**ADJOURNMENT**

Mr. Alvarez adjourned the meeting at approximately 3:45 p.m.